IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THURSDAY THE TWENTY FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FIVE
: PRESENT:
THE HON'BLE MR. JUSTICE: **V.ESWARAIAH**

CRIMINAL PETITION Nos. 2156 of 2004, 6006 of 2003 & 5913 of 2003

Crl.P.No. 2156 of 2004:

Between:

1. Mr. Mannava Sharath Babu, S/o. M.P.Seshaiah.
2. Smt. Mannava Sri Deepika, W/o. Mr. Mannava Sharath Babu.

Petitioners

AND

1. State of A.P., through Public Prosecutor, High Court of A.P., Hyderabad.
2. Smt. Boppana Seema, D/o. Boppana Satyanarayana Rao, R/o. Plot No.600, H.No. 6-3-565/E, Road No.6, Erramanzil Colony, Hyderabad, Presently residing at USA.

Respondents

Petition under Section 482 of Cr.P.C. praying that in the circumstances stated in the Memorandum of grounds filed herein, the High Court may be pleased to quash the FIR registered as Crime No. 633 of 2002 on the file of WPS, CCS, DD. Hyderabad.

The Petition coming on for hearing upon pursuing the petition and grounds filed herein and the orders of the High Court dated. 11-05-2004, 21-06-2004 & 05-07-2004 and made herein and upon hearing the arguments of Mr. Venkata Rangadas Kanuri, Advocate for the Petitioners and of the Public Prosecutor for the Respondent No.1 and of Mr. C.Sitaram, Advocate for the Respondent No.2.

Crl.P.No. 6006 of 2003:

Between:

Sri Chava China Veera Bhadraiah, S/o. Late Kotaiah.

Petitioner

AND

1. State of A.P., through Public Prosecutor, High Court of A.P., Hyderabad.
2. Smt. Boppana Seema, D/o. Boppana Satyanarayana Rao, R/o. Plot No.600, H.No. 6-3-565/E, Road No.6, Erramanzil Colony, Hyderabad, Presently residing at USA.

Respondents

Petition under Section 482 of Cr.P.C. praying that in the circumstances stated in the Memorandum of grounds filed herein, the High Court may be pleased to quash the FIR registered as Crime No. 633 of 2002 on the file of WPS, CCS, DD. Hyderabad.

The Petition coming on for hearing upon pursuing the petition and grounds filed herein and the orders of the High Court dated. 02-01-2004, 26-02-2004, 29-03-2004, 15-06-2004, 30-06-2004 and made in Crl.M.P.No. 9018/2003 and the order dated. 19-04-2005 made herein and upon hearing the arguments of Mr. V.Pattabhi, Advocate for the Petitioner and of the Public Prosecutor for the Respondent No.1

and of Mr. C.Sitaram, Advocate for the Respondent No.2.

Crl.P.No. 5913 of 2003:

Between:

Chava Nagendra Mani, W/o. Chava Hanumantha Rao.

Petitioner

AND

1. State of A.P., through Public Prosecutor, High Court of A.P., Hyderabad.

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2. Smt. Boppana Seema, D/o. Boppana Satyanarayana Rao, R/o. Plot No.600, H.No. 6-3-565/E, Road No.6, Erramanzil Colony, Hyderabad, Presently residing at USA.

Respondents

Petition under Section 482 of Cr.P.C. praying that in the circumstances stated in the Memorandum of grounds filed herein, the High Court may be pleased to quash the FIR registered as Crime No. 633 of 2002 on the file of WPS, CCS, DD. Hyderabad.

The Petition coming on for hearing upon pursuing the petition and grounds filed herein and the orders of the High Court dated. 22-12-2003, 24-12-2003, 26-02-2004, 29-03-2004, 15-06-2004, 30-06-2004 & 29-04-2005 and made herein and upon hearing the arguments of Mr. Venkata Rangadas Kanuri, Advocate for the Petitioner and of the Public Prosecutor for the Respondent No.1 and of Mr. C.Sitaram, Advocate for the Respondent No.2.

The Court made the following **ORDER:**

" The matter was heard-in-part on 03-11-2005 and the counsel appearing for the respective parties represented on that day that a Memorandum of Compromises was entered into on 10-05-2004 and as per the said memorandum of Compromise both the parties have agreed to have divorce by mutual consent and also to withdraw the criminal cases subject to the fulfillment of conditions under the memorandum of Compromise. But for some or the other reason the memorandum of Compromise was not executed or adhered to.

However, the father of Sm. B.Seema, appeared before this court and submitted that his daughter is coming from United States of America (USA) on 23-12-2005 and will appear before this Court on 26-12-2005 so as to enable both the parties to get divorce decrees by mutual consent to settle all the disputes between the parties.

I am of the opinion that it is just and proper to hear the connected OP's along with these criminal petitions.

Having regard to the facts and circumstances of the case, the OP.No. 268 of 2004 pending on the file of the Family Court, Hyderabad for divorce is

directed to be withdrawn and posted along with these criminal petitions for hearing and final disposal. Similarly, OP.No. 388 of 2004 filed by wife for grant of maintenance on the file of Family Court, Vijayawada, which has been transferred to the Family Court, Hyderabad by order of this Court in Tr.CMP.No. 330 of 2004, is also directed to be withdrawn and posted along with these criminal petitions for hearing and final disposal on 26-12-2005.

Office is directed to call for OP.No. 268 of 2004 and OP.No. 388 of 2004 and post along with these criminal petitions on 26-12-2005."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The SHO, WPS, CCS, DD. Hyderabad.
2. The Judge, Family Court, Hyderabad.
3. The Judge, Family Court, Vijayawada, Krishna District.
4. Smt. Boppana Seema, D/o. Boppana Satyanarayana Rao, R/o. Plot No.600, H.No. 6-3-565/E, Road No.6, Erramanzil Colony, Hyderabad, Presently residing at USA.
5. The Section Officer, Criminal Section, High Court of A.P., Hyderabad.
6. Two CCs to the Public Prosecutor, High Court of A.P., Hyd(OUT).
7. One spare copy.

SAH

HIGH COURT

MVR,J

DATE: 24-11-2005

NOTE: POST ON 25-11-2005

ORDER:

CRL.P. NO. 4896 of 2005

EXTENDING THE INTERIM STAY

HIGH COURT

DRAFTED BY : AB
DATED : 24-11-2005

MVRJ,J

DATE: 24-11-2005

NOTE: POST ON 25-11-2005

ORDER:

CRL.P. NO. 4896 of 2005